



December 16, 2010

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Ex Parte Notice: CG Docket No. 10-51

Dear Ms. Dortch:

On December 15, 2010, Thomas Kielty, Snap Telecommunications Inc.'s (Snap) President and CEO, and the undersigned met Paul de Sa, Chief, Office of Strategic Planning and Policy Analysis, and Gregory Hlibok, Chief, Disability Rights Office, about issues raised in the Notice of Inquiry on video relay services (VRS). Snap discussed that while VRS has undoubtedly transformed telecommunications for deaf people, significant progress is still needed to achieve the Americans with Disabilities Act's mandate for a functionally equivalent experience to hearing callers. Snap looks forward to the forthcoming document by deaf consumer organizations laying out the principles of functional equivalency in TRS and providing a roadmap to guide policy making. Snap described the extent of underserved deaf people, the lack of available data about them and suggested that the FCC commission a deaf organization to conduct a representative survey about VRS to enable consumer data-driven policy decisions.

Snap described its investments and the resulting benefits to VRS users and emphasized the importance of a rate structure which sustains the ability of smaller providers to provide real and dynamic choices for consumers. Snap said that there is no question the current tiered rate structure has been a tremendous success story, enabling competitive VRS providers to accomplish, among other things, shorter hold times, clearer video displays and connections, higher quality video interpreting, the establishment of a ten-digit numbering system, automatic 9-1-1 services, new video hardware and software, video mail, expanded video technology installations in businesses, workplaces and public places, and enhanced features for video dialing and connections. Snap indicated that it is now working with other providers to file jointly in support of continuing the tiered rate structure in the upcoming rate year.

Snap expressed its view that certain proposed rules in the FCC's May NPRM on the practices and structure of VRS will make tremendous improvements in deterring fraud and driving down the costs of VRS. Snap is strongly of the opinion that white label providers should be eliminated. The FCC should promptly institute procedures governing the suspension of payment for minutes under review. Snap mentioned certain



recommendations of consumer groups which in its opinion will do much in increasing the efficiency of the TRS Fund. Snap stated its strong opposition to proposed competitive bidding which has proven to be a failed model for state TRS programs, resulting in little real competition, minimal relay service features and offerings, low-paid and poorly trained TRS communication assistants, zero innovation or progress in service and related products and inadequate outreach to include their citizens, both deaf and hearing, in relay. Snap described the findings of legal scholars which show that auctions/reverse auction proposals have been problematic when attempted in global telecommunication markets. Snap explained its public disclosure of operating costs and supports the FCC in requiring such transparency for VRS providers as proposed in its May NPRM.

Snap expressed its view that the FCC should regulate Sorenson's improper handling and deliberately closed technology design of its videophones, including Sorenson's videophones' lack of interoperability with newer and more efficient provider videophones. Snap discussed progressive steps for evolving video communications so that the associated technology and services becomes fully mainstream, is accessible to all, and interoperable so any user can free connect with one another and their choice of services regardless of the device being used. At the same time, the FCC must also keep at the forefront consideration of the significant investments made by providers to attain the current environment of greater video options and features in services, the need to provide a reasonable return on providers' investments and transition towards the future in a sustainable manner which allows providers to continue to be able to compete and innovate for the benefit of relay consumers.

Sincerely,

/s/

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cc: Paul de Sa
Gregory Hlibok